

HOUSE BILL NO. HB0134

Student loan repayment programs.

Sponsored by: Representative(s) Hinckley

A BILL

for

1 AN ACT relating to student loans; establishing a loan  
2 repayment program to recruit and retain graduates in  
3 targeted occupations; creating a separate account for  
4 program expenditures; specifying procedures, eligibility  
5 requirements and imposing contractual conditions upon  
6 recipients; imposing duties upon the Wyoming community  
7 college commission; transferring program administration of  
8 the nursing loan and grant program from the Wyoming higher  
9 education assistance authority to the commission and  
10 transferring program funds accordingly; providing for  
11 initial loan repayment program assistance; providing  
12 appropriations and authorizing an additional position; and  
13 providing for an effective date.

14

15 *Be It Enacted by the Legislature of the State of Wyoming:*

16

1           **Section 1.** W.S. 21-16-1201 through 21-16-1204 are  
2 created to read:

3

4

ARTICLE 12

5

WYOMING STUDENT LOAN REPAYMENT PROGRAM

6

7

**21-16-1201. Wyoming student loan repayment program  
8 account established; disposition of account monies.**

9

10           (a) The Wyoming student loan repayment program  
11 account is created within the earmarked revenue fund to  
12 consist of funds appropriated to or designated to the  
13 account by law or by gift from whatever source, for  
14 distribution in accordance with this article.

15

16           (b) The state treasurer shall within any limits  
17 established by legislative appropriation, pay resources of  
18 the account established under subsection (a) of this  
19 section to the state treasury to be drawn out and  
20 distributed for repayment of federal loans upon  
21 certification of and in accordance with necessary  
22 procedures and documentation provided by the community  
23 college commission.

24

1           **21-16-1202. Wyoming student loan repayment program;**  
2 **administered by Wyoming community college commission;**  
3 **gubernatorial determination of targeted occupations and**  
4 **skills.**

5  
6           (a) The Wyoming student loan repayment program is  
7 established and shall be administered by the Wyoming  
8 community college commission. The purpose of the program  
9 is to recruit and retain graduates of accredited  
10 postsecondary education programs including technological,  
11 vocational and technical programs, in targeted professions,  
12 occupations and skills, to augment the workforce in Wyoming  
13 and provide for and advance the economic welfare of the  
14 state.

15  
16           (b) The community college commission shall not later  
17 than October 1 of each year, and in consultation with the  
18 Wyoming business council, the Wyoming workforce development  
19 council, the Wyoming department of workforce services, the  
20 Wyoming department of employment and other designated  
21 agencies, report to the governor on professions,  
22 occupations and skills which over the subsequent five (5)  
23 to ten (10) year period, require a significant increase in  
24 the number of related postsecondary education program

1 graduates which are not located and available within the  
2 state. Based upon this report, the governor shall identify  
3 those professions, occupations and skills to be targeted by  
4 the loan repayment program established under this article  
5 within the recommended state budget for the loan repayment  
6 program during the corresponding budget period.

7

8 (c) The commission shall annually provide for  
9 assistance payments from the account established under W.S.  
10 21-16-1201 on behalf of a recipient. Assistance payments  
11 shall be for repayment of the recipient's federal student  
12 loan upon compliance with terms of the contractual  
13 agreement required under W.S. 21-16-1203. In administering  
14 this subsection, the commission shall establish procedures  
15 for repayments made on each recipient's behalf and for  
16 necessary reporting requirements.

17

18 (d) The commission shall establish terms and  
19 conditions for assistance payments awarded under this  
20 article, including:

21

22 (i) The form and process for assistance  
23 application, review and award;

24

1           (ii) Terms and conditions for contractual  
2 agreements between the recipient and the commission;

3

4           (iii) Limitations on program participation to  
5 the extent funds are available within the repayment program  
6 account, ensuring sufficient funds are maintained at all  
7 times to fulfill contractual obligations entered into  
8 pursuant to this article.

9

10          (e) The commission shall adopt rules and regulations  
11 consistent with this article, as necessary to implement and  
12 administer the student loan repayment program established  
13 by this article. In addition, the commission may contract  
14 with appropriate expertise and professionals in  
15 administering this article and in performing duties imposed  
16 under this article.

17

18           **21-16-1203. Eligibility requirements; contractual**  
19 **agreement required.**

20

21          (a) To qualify for assistance under this article,  
22 individuals shall meet the following requirements:

23

1           (i) Successful completion of a postsecondary  
2 education program from a postsecondary education  
3 institution accredited by an accrediting association  
4 recognized by the United States department of education, as  
5 evidenced by a degree or certificate;

6  
7           (ii) Recipient of education loans funded or  
8 guaranteed by the federal government, including federal  
9 Stafford loans, federal direct loans and federal  
10 consolidated loans under Title IV of the Higher Education  
11 Act, with outstanding loan repayments not in default;

12  
13           (iii) Qualification for employment in a  
14 profession, occupation or skill targeted for recruitment  
15 and retention under procedures specified by this article.

16  
17           (b) Assistance available under this article shall be  
18 contingent upon a contractual agreement entered into  
19 between the community college commission and the recipient  
20 which requires the recipient to reside and obtain  
21 employment within the state in a profession, occupation or  
22 skill for any year in which loan repayment assistance is  
23 provided under this article. Assistance payments shall not  
24 be made on behalf of a recipient under this article until

1 completion of one (1) full year of employment within the  
2 state, as specified within the contractual agreement. The  
3 total amount of assistance provided under this article on  
4 behalf of any one (1) recipient shall be limited to the  
5 lesser of twenty percent (20%) of remaining outstanding  
6 Title IV federal assistance repayments or ten thousand  
7 dollars (\$10,000.00), payable over a period of five (5)  
8 years at an annual amount not to exceed two thousand  
9 dollars (\$2,000.00).

10

11 **21-16-1204. Annual report.**

12

13 The commission shall annually review the assistance program  
14 established under this article and report to the governor  
15 and the legislature in accordance with W.S. 9-2-1014,  
16 regarding program results, account funds and repayment  
17 assistance provided during the preceding fiscal year,  
18 together with the status of all outstanding contractual  
19 agreements under the program.

20

21 **Section 2.** W.S. 9-2-123(a), (c)(i) through (iii),  
22 (g)(iii), (j)(intro), (k) and (n) and 21-18-202(c) by  
23 creating a new paragraph (viii) are amended to read:

24

1           **9-2-123. Wyoming investment in nursing loan and grant**  
2 **program; eligibility criteria; procedures.**

3  
4           (a) There is created the Wyoming investment in  
5 nursing program administered by the Wyoming ~~higher~~  
6 ~~education assistance authority created under W.S. 21-16-703~~  
7 community college commission. The program shall be known as  
8 the WYIN program. Applicants shall be residents of this  
9 state or graduates of a Wyoming high school and may apply  
10 for loans from the WYIN program in accordance with this  
11 section.

12  
13           (c) Subject to the availability of funds appropriated  
14 for this program, loans under the WYIN program may be  
15 granted to applicants enrolled or planning to enroll in  
16 nursing education programs as follows:

17  
18           (i) An applicant who is accepted into a Wyoming  
19 licensed practical nurse or registered nursing education  
20 program or a baccalaureate degree program in nursing may be  
21 eligible for a loan to pay the unmet need, as determined by  
22 the Wyoming ~~higher education assistance authority or its~~  
23 ~~designee~~ community college commission, of attendance at the  
24 licensed practical nursing education program or the

1 registered nursing education program leading to an  
2 associate's or baccalaureate degree;

3

4 (ii) A registered nurse with a baccalaureate  
5 degree who holds an unencumbered license with the Wyoming  
6 board of nursing, has the equivalent of at least one (1)  
7 year of full-time service teaching in a nursing education  
8 program in Wyoming as a registered nurse with a  
9 baccalaureate degree and is accepted into a nursing  
10 education program at the University of Wyoming leading to a  
11 master's degree in nursing or nursing education may be  
12 eligible for a loan to pay the unmet need of attendance, as  
13 determined by the Wyoming ~~higher education assistance~~  
14 ~~authority or its designee~~ community college commission,  
15 provided that in order to receive a loan for a master's  
16 degree program, the applicant shall agree to repay the loan  
17 by teaching at a Wyoming college or the University of  
18 Wyoming;

19

20 (iii) A registered nurse with a master's degree  
21 in nursing who holds an unencumbered license with the  
22 Wyoming board of nursing, has the equivalent of at least  
23 one (1) year of full-time service teaching in a nursing  
24 education program in Wyoming as a registered nurse with a

1 master's degree in nursing and is accepted into a nursing  
2 education program at an institution providing the required  
3 nursing education courses under contract with the western  
4 interstate commission for higher education or in a distance  
5 nursing education program at a university that is  
6 regionally accredited leading to a doctorate level degree  
7 in nursing may be eligible for a loan to pay the unmet need  
8 of attendance, as determined by the Wyoming ~~higher~~  
9 ~~education assistance authority or its designee~~ community  
10 college commission, provided that in order to receive a  
11 loan for a doctorate level degree program, the applicant  
12 shall agree to repay the loan by teaching at the University  
13 of Wyoming.

14

15 (g) Any recipient of a WYIN loan who fails:

16

17 (iii) The appropriate certification or licensure  
18 examination on the first attempt may retake the examination  
19 at the next available opportunity before commencing  
20 repayment of the loan. The recipient shall notify the  
21 Wyoming ~~higher education assistance authority or its~~  
22 ~~contractor~~ community college commission of the intent to  
23 retake the examination and the date the examination will be  
24 taken. Any recipient of a WYIN loan who fails the

1 examination after the second attempt shall commence cash  
2 repayment of the loan within forty-five (45) days after  
3 receipt of notification of the second failure by the board  
4 of nursing. If the recipient of a WYIN loan who fails the  
5 examination on the first attempt does not retake the  
6 examination at the next available opportunity, cash  
7 repayment shall commence within forty-five (45) days after  
8 the next available examination is conducted.

9  
10 (j) The Wyoming ~~higher education assistance authority~~  
11 ~~shall have the powers and duties specified in W.S.~~  
12 ~~21-16-705 to~~ community college commission shall implement  
13 this section and shall establish terms and conditions of  
14 loans issued under this section, including:

15  
16 (k) Funding of the loan program established under  
17 this section shall be by appropriation of the legislature.  
18 The ~~authority~~ commission shall transfer approved loan  
19 amounts to the University of Wyoming and to Wyoming  
20 community colleges at which loan recipients are enrolled.  
21 In consultation with the university and affected community  
22 colleges, the ~~authority~~ commission shall establish  
23 procedures for transferring loan amounts and for reporting

1 requirements on the expenditure of transferred loan  
2 amounts.

3

4 (n) The ~~authority~~commission shall annually review  
5 the loan program established under this section and report  
6 to the governor and the legislature in accordance with W.S.  
7 9-2-1014, regarding program results, funds received and  
8 loans issued during the preceding academic year, together  
9 with the status of all outstanding loan commitments and  
10 repayments under the program.

11

12 **21-18-202. Powers and duties of the commission.**

13

14 (c) The commission shall perform the following  
15 administrative functions:

16

17 (viii) Administer the Wyoming student loan  
18 repayment program established under W.S. 21-16-1201 through  
19 21-16-1204, and the Wyoming investment in nursing loan and  
20 grant program established under W.S. 9-2-123, and may  
21 contract with appropriate professional expertise to  
22 administer these programs.

23

24 **Section 3.**

1

2 (a) To implement section 1 of this act for the fiscal  
3 year commencing July 1, 2005, and notwithstanding W.S.  
4 21-16-1202(b) as created under section 1 of this act, the  
5 community college commission shall not later than June 1,  
6 2005, with the assistance of the Wyoming business council,  
7 the Wyoming workforce development council, the Wyoming  
8 department of workforce services, the Wyoming department of  
9 employment and other designated agencies, report to the  
10 governor on professions, occupations and skills in short  
11 supply to meet state needs. Based upon this report, the  
12 governor shall identify those professions, occupations and  
13 skills to be targeted by the loan repayment program  
14 established under this article and funded by the  
15 appropriation under subsection (b) of this section.

16

17 (b) Five hundred thousand dollars (\$500,000.00) is  
18 appropriated from the general fund to the Wyoming student  
19 loan repayment account established by W.S. 21-16-1201(a),  
20 as created under section 1 of this act, for the fiscal year  
21 beginning July 1, 2005.

22

23 (c) Any unexpended, unobligated or unencumbered funds  
24 as of the effective date of this act which were

1 appropriated to the Wyoming higher education assistance  
2 authority under 2004 Wyoming Session Laws, Chapter 95,  
3 Section 047, shall be transferred to the Wyoming community  
4 college commission.

5

6 (d) Eighty-five thousand seven dollars (\$85,007.00)  
7 is appropriated from the general fund to the Wyoming  
8 community college commission for the fiscal year commencing  
9 July 1, 2005. In addition, the commission is authorized  
10 one (1) full-time position to implement this act. Of the  
11 amounts appropriated under this subsection, up to ten  
12 thousand dollars (\$10,000.00) is available to the  
13 commission for contractual services.

14

15 **Section 4.** This act is effective immediately upon  
16 completion of all acts necessary for a bill to become law  
17 as provided by Article 4, Section 8 of the Wyoming  
18 Constitution.

19

20

(END)